IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No. 22908 of 2003

Between:

1. The Concerned authority, Sable Waghire and Co. ltd., Head Office Pune (MS).
2.Sable Waghire & Company Limited, Branch Office, Nizamabad
rep. by the Proprietor through the GPA Sri R.S. Chawan.

3.Sable Waghire & Company Limited Branch Nizamabad Centre Office Kuntala And Mandal, Kuntala, District Adilabad.

..... PETITIONERS.

AND

1.The Commissioner for Workmen Compensation cum-Assistant Commissioner of Labour, Adilabad.
2.Sri Kurma Bhumanna S/o Bothanna,
R/o Kuntala Dist Adilabad.

.....RESPONDENTS.

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ order or direction, more particularly one in the nature of the Writ of Mandamus, declaring the action of respondent No.1 in not giving opportunity to both the parties for argument and proceedings with W.C. No.4 of 1997, dated 23-2-2001 and reserving for judgment and keeping it pending from April, 2001 till today, is illegal and arbitrary in nature and consequently to direct the first respondent to fix a date for arguments and issue notice to both the parties for hearing the matter and pass judgment within a reasonable period of two months.

Counsel for the Petitioners: Ms.G.SUDHA

Counsel for the Respondents : GOVT. PLEADER FOR LABOUR FOR

RESPONDENT No.1.

Mr. S.SURENDER REDDY FOR

RESPONDENT No.2.

The Court made the following :

ORAL ORDER:

This writ petition has been filed to declare the action of the first respondent in not giving opportunity to both the parties in the case filed before him in W.C.No.4 of 1997 and reserving the judgment and keeping it pending on the file from April 2001 till the filing of the writ petition, as illegal and arbitrary.

Learned Govt. Pleader for Labour submits that W.C.No.4 of 1997 was already disposed of on 2-8-2002 directing the petitioner-management to deposit the compensation amount of Rs.1,41,040/-.

In view of the disposal of the case by the first respondent, the writ petition has become infructuous and it is accordingly dismissed reserving liberty to the petitioners to question the order made in W.C.No.4 of 1997. No order as to costs.

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3rd August 2004. **(V.ESWARAIAH, J.)**

ARS

To

1.The Commissioner for Workmen Compensation cum-Assistant Commissioner of Labour, Adilabad.

2. Two CCs to Govt. Pleader for Labour, High Court Bldgs., Hyderabad (OUT).

3.Two C.D. copies.